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PATENT

Practitioner's Dkt. No.: 35050.004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Michael D. Saffran** **Group Art: Unknown**
Application No.: **Not Yet Assigned** **Examiner: Unknown**
Filed: **Herewith** **(Conf. No. __)**

For: EARMUFF HAVING ANATOMICALLY CORRECT EAR CUPS

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Arlington, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

**List of Sections Forming Part of This
Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. Preliminary Statements
2. Form PTO-1449 (Modified)
3. Statement as to Information Not Found in Patents or Publications
4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. Cumulative Patents or Publications
6. Copies of Listed Information Items Accompanying this Statement

7. Concise Explanation of Non-English Language Listed Information Items
 - 7A. EPO Search Report
 - 7B. English Language Version
8. Translation(s) of Non-English Language Documents
9. Concise Explanation of English Language Listed Information Items (Optional)
10. Identification of Person(s) Making this Information Disclosure Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. Form PTO-1449 (Modified)

A Completed Form PTO-1449 (Modified) is attached hereto.

Section 3. Statement as to Information Not Found in Patents or Publications (Information Not Listed in Form PTO-1449(Modified))

Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. _____, filed on _____ (date).

(complete the following, if applicable)

This application also relies, under 35 U.S.C. 120, on the earlier filing date of prior application Serial No. _____, filed on _____ (date).

The following references were submitted to, and/or cited by, the Office in the prior application(s) and therefore, are not required to be provided in this application:

Section 5. Cumulative Patents or Publications

STATEMENT

_____ is cumulative of the following patents or publications listed on Form PTO-1449:

In accordance with 37 C.F.R. § 1.98(c), a copy of only _____ is being submitted with this Information Disclosure Statement.

Section 6. Copies of Listed Information Items Accompanying this Statement

Legible copies of all items listed in Form PTO-1449 (Modified) accompany this information disclosure statement.

Exception(s) to above:

- Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 4.
- Cumulative patents or publications identified in Section 5.

Section 7. Concise Explanation of Non-English Language Listed Information Items

Section 7A. Concise Explanation of Non-English Language Listed Information Items - EPO Search Report

The relevance with respect to the following citations listed on Form PTO-1449:

is submitted on the basis of accompanying:

(check the appropriate item)

- EPO search report that is in the English language,
- EPO search report that is not in the English language and that is accompanied also by an English language version of the EPO search report,

that issued on the corresponding European patent application.

Section 7B. Concise Explanation of Non-English Language Listed Information Items - English Language Version of EPO Search Report

Section 8. Translation(s) of Non-English Language Documents

- Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions

of those patents, publications or information considered to be material:

(complete the following, if applicable)

- No English language translations of the foreign language parents, publications or information or parts thereof are readily available, except for those listed above.
- The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.

Section 9. Concise Explanation of English Language Listed Information Items (OPTIONAL)

Section 10. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT

The person making this statement is the attorney who signs below on the basis of the information:

- supplied by the inventor(s)
- supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).

[X] in the attorney's file

Respectfully submitted,

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Express Mail: EV262272295US
 Date Deposited: November 12, 2003

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known	
Application Number	Not Yet Assigned
Filing Date	Herewith
First Named Inventor	Michael D. Saffran
Group Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	35050.004

U. S. PATENT DOCUMENTS

EXAM INIT.	Cite No. 1	<u>U.S. PATENT NUMBER</u> Number	Kind Code ² (If known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	3,952,158		Kyle et al.	04/20/1976	
	AB	4,459,707		John P. Stallings	07/17/1984	
	AC	4,465,159		John P. Stallings	08/14/1984	
	AD	4,574,912		Fuss et al.	03/11/1986	
	AE	Des. 292,400		Boggs et al.	10/20/1987	
	AF	4,756,028		Thomas A. Scanlon	07/12/1988	
	AG	4,771,454		Edward R. Wilcox, Jr.	09/13/1988	
	AH	Des. 299,337		Christopher D. Wiegel	01/10/1989	
	AI	4,796,307		Kurt Vantine	01/10/1989	
	AJ	4,935,965		Stephen R. Wassell	06/26/1990	
	AK	4,944,361		Lindgren et al.	07/31/1990	
	AL	Des. 326,855		Bose et al.	06/09/1992	
	AM	5,241,971		Rune Lundin	09/07/1993	
	AN	5,384,857		Nordin et al.	01/24/1995	
	AO	Des. 375,584		Roland Westerdal	11/12/1996	
	AP	5,826,582		Sheehan et al.	10/27/1998	
	AQ	5,835,609		LeGette et al.	11/10/1998	
	AR	5,862,241		Brian Nelson	01/19/1999	
	AS	6,163,615		Thomas F. Callahan	12/19/2000	

FOREIGN PATENT DOCUMENTS

EXAM INIT.	Cite No. 1	Foreign Patent Document Office 3 Number 4	Kind Code ⁵ (If known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶

FOREIGN PATENT DOCUMENTS

EXAM INIT.	Cite No. 1	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office 3	Number 4	Kind Code ⁵ (If known)				

U.S. and Foreign: ¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

NON PATENT DOCUMENTS

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published

Non Patent Documents: ¹Unique citation designation number. ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature: _____ Date Considered: _____

EXAMINER: Initial if citation considered, whether or not citation is in conformance and not considered. Include copy of this form with next communication to applicant. **Place of Publication refers to name of publication in which the information was published.

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